

Taylor Newton

From: Alan Huizenga <ahuizenga@gmeinc.biz>
Sent: Thursday, August 13, 2020 10:21 AM
To: Taylor Newton
Cc: Mark Letorney; Melissa Manka; Seth Jensen; Regina Mahony; Dan Albrecht
Subject: RE: Westford - 1705 VT Route 128 - Quotes for VCDP

Hi Taylor-

Thanks for the clarifications and discussion this morning. I have revised our estimate by eliminating preparation of permit applications and local permitting entirely, reducing meeting time with a local steering committee from 40 hours to 30 hours and reducing site time for soil boring investigation from 3 days to 2 days anticipating fairly shallow soils. The revised budget figures are as follows:

1. Land Survey - **\$6,480**
 - a. Survey existing parcel
 - b. Develop proposed survey plat for subdivision
 2. Geotechnical Report - **\$11,880**
 - a. **Two** days of testing. Total of 12 borings.
 - b. Geotechnical report with recommendations for building footings
 3. Site Plan
 - a. Existing conditions site plan (wetlands delineated and archeological assessment this fall). - **\$13,380**
 - b. Future site plan (general building placement, parking, access, circulation, lighting, landscaping) - **\$6,160**
 - c. Utility plan (water service, wastewater service, electric service, etc.) - **\$4,640**
 - d. Stormwater management plan - **\$10,440**
 - e. Road/driveway profiles – **included above**
 - f. Cost estimates for infrastructure costs (water service, sewer service, stormwater management, paving, signate, curbing, sidewalks, lighting, landscaping,) – **included above**
- TOTAL \$52,980**

Feel free to call with any questions.

Sincerely,
Alan

Alan Huizenga, P.E.
President
Green Mountain Engineering, Inc.
802-862-5590

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From: Taylor Newton <TNewton@ccrpcvt.org>
Sent: Monday, August 3, 2020 9:26 PM
To: Alan Huizenga <ahuizenga@gmeinc.biz>
Cc: Mark Letorney <mark@roversnorth.com>; Melissa Manka <planner@westfordvt.us>; Seth Jensen <seth.m.jensen@gmail.com>; Regina Mahony <rmahony@ccrpcvt.org>; Dan Albrecht <dalbrecht@ccrpcvt.org>
Subject: RE: Westford - 1705 VT Route 128 - Quotes for VCDP

Thanks, Alan. Thanks for providing your assistance.

The subject parcel is about 3.3. acres in size. The property is owned by the Pidgeon Family Trust. We are currently working with the Trust to secure site access for our project. The proposed redevelopment of the property will include, at minimum, a public river access developed in concert with Vermont River Conservancy, 6 to 8 units of affordable home-ownership housing, and a future municipal use. Attached is an aerial photo of the property with approximate property lines. I've also attached the Phase II ESA report as a FYI.

Below is a summary of the services the Town would like an engineering firm to complete as a part of the VCDP planning grant:

1. Land Survey
 - a. Survey existing parcel
 - b. Develop proposed survey plat for subdivision
2. Geotechnical Report
 - a. Three days of testing. Total of 12 borings.
 - b. Geotechnical report with recommendations for building footings
3. Site Plan
 - a. Existing conditions site plan (wetlands delineated and archeological assessment this fall).
 - b. Future site plan (general building placement, parking, access, circulation, lighting, landscaping)
 - c. Utility plan (water service, wastewater service, electric service, etc.)
 - d. Stormwater management plan
 - e. Road/driveway profiles
 - f. Cost estimates for infrastructure costs (water service, sewer service, stormwater management, paving, signate, curbing, sidewalks, lighting, landscaping,)

I'm not sure if GME has a land surveyor or a geotechnical engineer on staff. If that is the case, please let me know if you're able to get an estimates from an organization you typically work with that can provide those services or if I should seek separate quotes on my own.

Please let me know if you'd like to talk through this scope of work. I can be reached via cell phone (802) 578-4786.

Thanks again for your assistance!

-Taylor

From: Alan Huizenga <ahuizenga@gmeinc.biz>

Sent: Monday, August 3, 2020 4:54 PM

To: Taylor Newton <TNewton@ccrpcvt.org>

Cc: Mark Letorney <mark@roversnorth.com>; Melissa Manka <planner@westfordvt.us>; Seth Jensen <seth.m.jensen@gmail.com>; Regina Mahony <rmahony@ccrpcvt.org>; Dan Albrecht <dalbrecht@ccrpcvt.org>

Subject: Re: Westford - 1705 VT Route 128 - Quotes for VCDP

Hi Taylor-

GME would be happy to provide a quote for use in the grant application. We also have experience with Brownfield sites. Thanks for reaching out.

Sincerely,

Alan

Sent from my iPhone

On Aug 3, 2020, at 4:19 PM, Taylor Newton <TNewton@ccrpcvt.org> wrote:

Hello Alan –

My name is Taylor Newton and I'm a Senior Planner at CCRPC. I am putting together an application to the Vermont Community Development Program (VCDP) for a Planning Grant on behalf of the Town of Westford. The grant is for planning and pre-development work related to the future redevelopment of 1705 VT Route 128. The property is adjacent to the Town Office and is a brownfield (a Phase II ESA has been completed and recommends further assessment of a petroleum plume on site).

I have put together a draft scope of work and budget for the grant application. However, in my experience VCDP likes to see a formal quote from a civil engineering firm for all engineering-related work submitted with an application. Would Green Mountain Engineering be able to put together a quote for the Town of Westford? If yes, I'll provide you with a copy of the draft scope of work. I would need the quote completed by the end of next week.

Please note that VCDP will require that the Town select an engineer for the project (if awarded) through a competitive RFQ or RFP process. I always like to make that clear while asking for a quote!

Please let me know if you're interested in assisting the Town!

Thanks,
Taylor

*Taylor Newton, Senior Planner
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
(802) 846-4490 x15
www.ccrpcvt.org*

<image001.jpg>

CCRPC employees are working remotely and the office is closed to visitors. Please call or email and we will respond as soon as possible. Thank you!!!

Keller & Associates, Inc.

192 Crescent Road
Burlington, VT 05401
Phone: (802) 861-4600

August 17, 2020

Taylor Newton
Senior Planner
Chittenden County RPC
110 West Canal Street
Suite 202
Winooski, Vermont 05404-2109

Ref: Westford Grant

Dear Mr. Newton:

In accordance with your request I submit a proposal for a real estate appraisal of a defunct automotive repair garage located at 1705 Vermont Route 128 in Westford, Vermont.

The property is located proximate to the municipal office, across the road from the "green" and had a release of petroleum that is under study. Assume for the valuation is a completion of the engineering reports and the absence of a "yellow book" appraisal requirement.

The effective date of the report will likely be in the spring of 2021 and assumed is no additional structures like a single family house.

The fee for the assignment would be \$5,000 and considered would be the impact on the property of a petroleum contaminant. The time to complete would be two months from notification of the award.

Thank you for the right to participate in the bidding process.

Sincerely yours,

A handwritten signature in blue ink, appearing to be 'M. Keller', with a stylized, cursive-like form.

Michael F. Keller, MAI, AI-GRS

Taylor Newton

From: David W. Rugh <drugh@firmspf.com>
Sent: Wednesday, August 5, 2020 9:14 AM
To: Taylor Newton
Cc: Melissa Manka; george.lamphere; Mark Letorney
Subject: RE: Opinion of Counsel

Hi Taylor,

Thanks for explaining the project a bit more. We've worked on a number of VCDP, Habitat and CHT transactions, and the arrangement you describe with the Town owning the land while the housing is being constructed sounds quite unusual. We question why the Town would put itself in that position from a liability perspective since CHT and/or Habitat ultimately will own and manage the project. In most CHT VCDP projects we've worked on, CHT will set up a special purpose entity to own the land prior to construction, and the Town usually holds a non-recourse VCDP mortgage on the land from the point CHT obtains ownership and develops the site. For Habitat VCDP projects, Habitat normally owns the land while each house gets built, and the Town holds the non-recourse VCDP mortgage during construction and then releases its mortgage on each house once the property is conveyed to the homeowner.

Yes, please check with your housing partners on how they envision this project being structured since the arrangement you describe does not sound like a "normal" affordable housing project. We would have significant concerns about the level of risk the Town would be taking on if it were to own the land while the project is being constructed.

Thanks again,
Dave

David W. Rugh, Esq.
Stitzel, Page & Fletcher, P.C.
171 Battery Street
P.O. Box 1507
Burlington, VT 05402-1507
Phone: 802-660-2555
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the Internal Revenue Code, or promoting, marketing or recommending to another person any transaction or matter addressed in this communication.

From: Taylor Newton <TNewton@ccrpcvt.org>

Sent: Tuesday, August 4, 2020 6:40 PM

To: David W. Rugh <drugh@firm SPF.com>

Cc: Melissa Manka <planner@westfordvt.us>; george.lamphere <george.lamphere@gmail.com>; Mark Letorney <mark@roversnorth.com>

Subject: RE: Opinion of Counsel

Thanks, David. Those estimates are specific enough for right now.

The subdivider would likely be the Town or the Vermont River Conservancy. That's TBD. It depends on which funding/timing/etc. If VRC can move faster than the Town, I believe they'll buy the property.

The Town wouldn't be the entity that is technically developing the affordable housing. The plan right now would be for Green Mountain Habitat for Humanity to build the housing (the land would be owned by the Town or VRC at that time). The property would then be sold to Champlain Housing Trust. CHT would then enroll the housing into their shared equity homeownership program. At that time the housing would become perpetually affordable.

I think that plan avoids any concerns about overstepping municipal statutory authority. If not, please let me know and we will confer with our housing partners (I don't have authority to ask you to look into the issue – I'll defer to the Town folks that are cc'ed regarding the Town's legal budget and interest in pursuing the question).

Thanks again,
Taylor

Cc: Melissa Manka <planner@westfordvt.us>; george.lamphere <george.lamphere@gmail.com>; Mark Letorney <mark@roversnorth.com>

Subject: RE: Opinion of Counsel

Hi Taylor,

It's a bit tough for us to estimate the costs for drafting deeds and various agreements for an approved subdivision without knowing the details regarding the project. Also, the burden for drafting those documents is almost always placed on the subdivider by way of a condition of the subdivision approval. While the Town occasionally provides forms for items like a Roadway Agreement & Waiver or a Shared Driveway or Parking Agreement, the nature of this subdivision with affordable housing and other private components makes it sound like a private party would be the subdivider, not the Town. If the Town is developing affordable housing on its own, then we have some larger concerns about whether that's truly within the scope of the powers the Legislature has delegated to municipalities that we'll want to investigate.

If we were representing the Town, then we could develop those documents for roughly \$1,500-\$2,000, which represents 7.5 to 10 hours of attorney time. However, note that if a private party is preparing those documents, it's likely to cost a bit more since many Chittenden County attorneys charge private, developer clients a higher hourly rate for these services than our \$200/hour for municipal clients. Also, preparing a document like a Declaration of Covenants can take longer than just deeds and a relatively straight forward Shared Driveway Agreement, so if that's included, the costs may go up to more like \$4,000. Unfortunately, it really depends on the nature and complexity of the subdivision.

Apologies in advance for not being more specific, but it's difficult to provide an accurate estimate without having a better understanding of the project's details.

Thanks,
Dave

David W. Rugh, Esq.
Stitzel, Page & Fletcher, P.C.
171 Battery Street
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Burlington, VT 05402-1507
Phone: 802-660-2555
Fax: 802-660-2552
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From: Taylor Newton <TNewton@ccrpcvt.org>
Sent: Tuesday, August 4, 2020 1:17 PM
To: David W. Rugh <drugh@firmspf.com>
Cc: Melissa Manka <planner@westfordvt.us>; george.lamphere <george.lamphere@gmail.com>; Mark Letorney <mark@roversnorth.com>
Subject: RE: Opinion of Counsel

Thanks, David. It would just be reviewing a contract for administrative services. No subgrant agreements envisioned at this point in time.

I do have another question: this project will include the development of a subdivision plat. Each new parcel on the plat may eventually transfer ownership. What we be the fee to develop new deeds for 5 lots? Additionally, what would be the fee to develop a shared roadway/driveway agreement and a shared parking agreement?

I've cc'ed George Lamphere and Mark Letorney from the Westford Planning Commission on this email. In addition to Melissa, they'll be spearheading this project on the local level.

Thanks again for your assistance –
Taylor

From: David W. Rugh <drugh@firmspf.com>
Sent: Monday, August 3, 2020 4:48 PM
To: Taylor Newton <TNewton@ccrpcvt.org>
Cc: Melissa Manka <planner@westfordvt.us>
Subject: RE: Opinion of Counsel

Hi Taylor,

Good to hear from you.

As long as the opinion letter is straight-forward, relates only to reviewing a Contract for Administrative Services or a similar document, and does not include confirming work of other Subgrantees or drafting Subgrant Agreements, etc. as in a VCDP-CBDG Subgrant situation, we think it should only cost in the range of \$500-\$750 in legal fees to prepare. If this was more like a VCDP-CBDG Subgrant situation, then the legal fees would be closer to \$2,000.

Thanks,
Dave

David W. Rugh, Esq.
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From: Taylor Newton <TNewton@ccrpcvt.org>
Sent: Friday, July 31, 2020 3:37 PM
To: David W. Rugh <drugh@firmspf.com>
Cc: Melissa Manka <planner@westfordvt.us>
Subject: Opinion of Counsel

Hello David –

I hope this email finds you well and that you've had an excellent summer.

I'm emailing you because Melissa informed me that SPF is the Town Attorney for the Town of Westford. I'm currently working with the Town on a VCDP Planning Grant application. The application would pay for some planning and pre-development work on a property the Town, or a partner organization (Vermont River Conservancy), would like to redevelop for a public use, some affordable housing, and a public river access. CCRPC has would be conducting grant administration and project management on behalf of the Town.

In my project budget, I have a line item for the Opinion of Counsel that will be required for the Town-CCPRC contract. I imagine it'll be identical work to what you completed for Alburgh and NRPC last December/January. Could you please provide me with a quote on what the Opinion of Counsel may cost? An email would suffice.

Disappointed not to see you out on the kickball field at Oakledge this summer! I've really missed hanging out down there every Thursday night. One can only hope that we'll have a season next summer.

Thanks,
Taylor

*Taylor Newton, Senior Planner
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
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(802) 846-4490 x15
www.ccrpcvt.org*



CCRPC employees are working remotely and the office is closed to visitors. Please call or email and we will respond as soon as possible. Thank you!!!